

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 36730

STATE OF IDAHO,)	2010 Unpublished Opinion No. 365
)	
Plaintiff-Respondent,)	Filed: February 26, 2010
)	
v.)	Stephen W. Kenyon, Clerk
)	
TRAVIS NICHOLAS TURNBOO,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the First Judicial District, State of Idaho, Kootanai County. Hon. Charles W. Hosack, District Judge.

Judgment of conviction and concurrent unified sentences of fifty years, with twelve years determinate, for three counts of lewd conduct with a minor under the age of sixteen, affirmed.

Molly J. Huskey, State Appellate Public Defender; Shannon N. Romero, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before GUTIERREZ, Judge, GRATTON, Judge
and MELANSON, Judge

PER CURIAM

Travis Nicholas Turnboo was charged with failure to register as a sex offender and with three counts of lewd conduct with a minor under the age of sixteen. Pursuant to a plea agreement, Turnboo pled guilty to three counts of lewd conduct with a minor under the age of sixteen, Idaho Code § 18-1508, and the state agreed to dismiss the remaining charge. The district court sentenced Turnboo to concurrent unified terms of fifty years, with twelve years determinate for each count. Turnboo appeals from his judgment of conviction and sentences, contending that the district court imposed excessive sentences.

Where a sentence is within the statutory limits, it will not be disturbed on appeal absent an abuse of the sentencing court's discretion. *State v. Hedger*, 115 Idaho 598, 604, 768 P.2d 1331, 1337 (1989). We will not conclude on review that the sentencing court abused its discretion unless the sentence is unreasonable under the facts of the case. *State v. Brown*, 121 Idaho 385, 393, 825 P.2d 482, 490 (1992). In evaluating the reasonableness of a sentence, we consider the nature of the offense and the character of the offender, applying our well-established standards of review. See *State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 170 P.3d 387 (2007).

Applying the foregoing standards and having reviewed the record, we conclude that the district court did not abuse its discretion by imposing the sentences. Accordingly, Turnboo's judgment of conviction and sentences are affirmed.